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IDAHO LEGISLATURE

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SIXTY-THIRD LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 28, 2015

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senators Thayn, and Tippets, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Haley Fronk, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 28, 2015

The JUDICIARY AND RULES Committee reports that [S 1013](#) and [S 1014](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1013](#) was referred to the Finance Committee.

[S 1014](#) was referred to the Judiciary and Rules Committee.

January 27, 2015

The FINANCE Committee reports out [S 1012](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1012](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Spackman of Eagle, Idaho, was reappointed Director of the Idaho Department of Water Resources to serve a term commencing January 14, 2015, and continuing at the pleasure of the Governor.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Charles Cuddy of Orofino, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2015, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeffery Raybould of St. Anthony, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2015, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

January 26, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Peter Van Der Meulen of Hailey, Idaho, was reappointed as a member of the Idaho Water Resource Board to serve a term commencing January 1, 2015, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 27, 2015

Dear Mr. President:

I transmit herewith [H 26](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 26](#) was filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Blake Fischer was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Stennett, the Gubernatorial appointment of Blake Fischer as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Lane Clezie was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lacey, seconded by Senator Guthrie, the Gubernatorial appointment of Lane Clezie as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1015

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE DEALERS; AMENDING SECTION 49-1608, IDAHO CODE, TO REVISE CERTAIN BOND REQUIREMENT PROVISIONS, TO REQUIRE THE PROCUREMENT AND FILING OF A SPECIFIED BOND BY WHOLESALE DEALERS AND TO PROVIDE AN EXEMPTION FROM PARTICIPATION IN THE IDAHO CONSUMER ASSET RECOVERY FUND BY CERTAIN WHOLESALE DEALER LICENSEES.

S 1016

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DRIVER'S LICENSES AND PERMITS; AMENDING SECTION 49-104, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-115, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-305, IDAHO CODE, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR THE VALIDITY OF COMMERCIAL LEARNER'S PERMITS AND CLASS D INSTRUCTION PERMITS, TO PROVIDE FOR THE RENEWAL OF THOSE PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS AND TO PROVIDE FOR THE RENEWAL OF MOTORCYCLE ENDORSEMENT INSTRUCTION PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP OR LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AND AMENDING SECTION 49-306, AS AMENDED BY SECTION 2, CHAPTER 354, LAWS OF 2013, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION

REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP OR LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF APPLICANTS FOR COMMERCIAL LEARNER'S PERMITS; AND AMENDING SECTION 6, CHAPTER 354, LAWS OF 2013, TO REVISE A CONTINGENT EFFECTIVE DATE.

S 1017

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO PROVIDERS OF TELECOMMUNICATIONS SERVICE; AMENDING SECTION 40-210, IDAHO CODE, TO PROVIDE THAT THE IDAHO TRANSPORTATION DEPARTMENT AND URBAN RENEWAL AGENCIES SHALL PARTIALLY REIMBURSE TELECOMMUNICATIONS SERVICE PROVIDERS FOR THE COST OF RELOCATION OF FACILITIES TO ACCOMMODATE CERTAIN PROJECTS, TO PROVIDE FOR APPLICABILITY AND TO DEFINE TERMS.

S 1018

BY EDUCATION COMMITTEE

AN ACT

RELATING TO TEACHERS; AMENDING SECTION 33-1205, IDAHO CODE, TO REMOVE CERTAIN FEE AMOUNTS AND CERTAIN EFFECTIVE DATES AND TO REVISE PROVISIONS RELATING TO HOW CERTAIN FEES ARE USED.

S 1019

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-130, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEES FOR UNDERGOING A CRIMINAL HISTORY CHECK AND TO MAKE TECHNICAL CORRECTIONS.

S 1015, S 1016, S 1017, S 1018, and S 1019 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 26, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Tippetts was recorded present at this order of business.

S 1002 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—Vick. Total - 1.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **S 1002** passed, title was approved, and the bill ordered transmitted to the House.

S 1003 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **S 1003** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:30 a.m. until the hour of 11:30 a.m., Thursday, January 29, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary